

Date: March 11, 2014

To: Sally Bagshaw, Chair Seattle Public Utilities and Neighborhoods Committee
Kshama Sawant, Vice-Chair Seattle Public Utilities and Neighborhoods Committee
Bruce A. Harrell, Member Seattle Public Utilities and Neighborhoods Committee

From: Melina Thung, Deputy Director of Finance and Administration, Seattle Public Utilities

Re: Council Bill 118045

Background

On November 19, 2012 the City Council approved Ordinance 124049, which adopted drainage rates for 2013-2015. The ordinance exemptions from the payment of drainage charges for undeveloped islands containing less than 10 percent impervious surface area and qualifying undeveloped riparian corridors and wetlands. The first two exemptions took effect on January 1, 2013 while the ordinance specified an effective date for the wetlands exemption of no later than January 1, 2014.

The later effective data for the wetlands exemption allowed for the development of a Director's Rule providing detailed qualification criteria and administrative procedures. While undeveloped islands and riparian corridors can qualify for the exemption using GIS data, a wetland must pass a more thorough review by wetlands professional. SPU Director's Rule FIN-211.3, which became effective on December 19, 2013, defines a series of rules and procedure to qualify wetlands fairly and consistently for a drainage charge exemption.

Ordinance 124049 noted that areas qualifying for all three adopted exemptions should contain "highly infiltrative pervious surface" to be considered for the exemption. This is essentially an indicator of undeveloped land in a natural state. However, in the process of preparing the Director's Rule, technical staff noted that wetlands generally do not contain highly infiltrative pervious surface, but rather provide hydrologic and water quality functions by storing and filtering storm water. The proposed legislation strikes the requirement for highly infiltrative pervious surface in the case of wetlands and further clarifies other terms related to this drainage exemption.

Overview of SMC revisions included in Council Bill 118045

- Adds a definition for Wetlands consistent with the treatment of this term in other areas of the SMC
- strikes the requirement that a wetland contain highly infiltrative impervious surface
- clarifies that in addition to defining qualification criteria, the Director's Rule also establishes administrative schedules and procedures for demonstrating initial and ongoing compliance
- establishes qualification procedures specific to the first year of implementation
- clarifies terms for SPU right of entry for inspections to verify a parcel's compliance with the terms of an exemption or a stormwater facility credit.

cc: Sherri Crawford, Seattle Public Utilities